



REMARKS

Claims 1-6 have been canceled as belonging to a non-elected invention. Claims 7-32 are pending in the instant application.

The Amendments. The claims have been amended, and new Claims 22-32 have been added, to avoid dependencies from non-elected claims. The amendments and new claims do not introduce new matter, and they are fully supported in the specification and the claims as originally filed. Entry pursuant to 37 C.F.R. § 1.111 is therefore respectfully requested. A marked-up copy of the amended claims is attached hereto as *Appendix A*. The claims as presently pending are attached hereto as *Appendix B*.

Response to Restriction Requirement. In response to the Restriction Requirement, Applicants hereby elect Group II, encompassing Claims 7-21, which are drawn to a method for modulating blood vessel formation in a subject comprising inducing local expression of a functional tissue factor nucleic acid, without traverse.

Applicants reserve the right to pursue Group I, drawn to a method for modulating blood vessel formation in a subject comprising locally administering a functional tissue factor protein in a later filed divisional application.

No fee is believed to be due with this response. However, if it is determined that fees are due, please charge them to Pennie & Edmonds LLP Deposit Account No. 16-1150 (order no. 8484-075-999). A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

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APPENDIX A
MARKED-UP VERSION OF AMENDED CLAIMS

7. (Twice amended) [The method of claim 2,] A method of modulating blood vessel formation in a subject in need, comprising locally administering a functional tissue factor in a therapeutically effective amount to said subject in need, wherein [the] said tissue factor or a fragment thereof is [present as] administered in the form of an expressible nucleic acid.

10. (Twice amended) The method of [claims] claim 7, wherein said nucleic acid is controlled by a constitutive or an inducible promoter.

11. (Twice amended) The method of claim 7, wherein [the] said nucleic acid is present in a Sindbis virus replicon vector.

12. (Twice amended) The method of claim 7, wherein [the] said nucleic acid is controlled by a CMV or [5V40] SV40 promoter.

13. (Twice amended) The method of claim [1, 3, 20, or 21] 20 or 21, wherein [the] said tissue factor is present in a liposome or on a carrier[, particularly gold particle].

14. (Twice amended) The method of claim 13, wherein [the] said tissue factor is present in combination with further factors promoting the formation of blood vessels.

17. (Twice amended) The method of claim [1, 3, 20, or 21] 20 or 21, wherein [the] said tissue factor is present in a pharmaceutical composition.

18. (Twice amended) A pharmaceutical composition for modulation of blood vessel formation, comprising tissue factor or a fragment thereof and a pharmaceutically acceptable [carrier] carrier.

22. (New) A method for modulating blood vessel formation in a subject in need, comprising inducing local expression of a tissue factor nucleic acid in said subject in need thereof.

23. (New) The method of claim 22, wherein said nucleic acid is expressed transiently.

24. (New) The method of claim 22, wherein said nucleic acid is a DNA.

25. (New) The method of claim 22, wherein said nucleic acid is controlled by a constitutive or an inducible promoter.

26. (New) The method of claim 22, wherein said nucleic acid is present in a Sindbis virus replicon vector.

27. (New) The method of claim 22, wherein said nucleic acid is controlled by a CMV or SV40 promoter.

28. (New) The method of claim 13, wherein said carrier is a gold particle.

29. (New) The method of claim 7, 20, or 22, wherein said modulating is an activation of blood vessel formation.

30. (New) The method of claim 29, wherein the said subject in need is afflicted with diabetes mellitus, vasculitis, arterial conclusive disease, chronic venous and infected ulcer, innervation impairment, decubital gangrene or weak sutures after a surgery.

31. (New) The method of claim 29, wherein said subject in need is afflicted with arteriosclerosis, Crohn's disease, ulcerative colitis, diabetic retinopathy, or deep venous thrombosis of the legs/ulcus cruris.

32. (New) The method of claim 29, wherein the blood vessel formation is activated for the replacement of impaired blood vessels.